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21171	7590	06/04/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			PATEL, NITIN	
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			2673	

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

**Application No.**

10/029,986

**Applicant(s)**

LEE, JONG-HWAN

**Examiner**

Nitin Patel

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3, 12, 13, 15, and 16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Usuki et al., U.S. Pat. No. 5,774,096 A.

Regarding claim 1, Usuki et al. discloses a wearable display apparatus worn near left and right eyes of a user and to display images to be recognized through the left and right eyes, comprising: a main control unit outputting view display position adjustment information corresponding to inputted interpupillary distance setting information indicative of an interpupillary distance between the left and right eyes (col. 4, lines 57-60; col. 28, lines 12-28; Fig. 42, elements 690, 692, 800); and display units respectively display-processing image information inputted to an area within a display region corresponding to the view display position adjustment information (col. 27, lines 60-65), the display region being smaller than an entire view display area of the display units (col. 25, lines 26-33; Fig. 50, elements 7L, 7R).

Regarding claim 3, Usuki et al., further discloses a sensor mounted on a main body, detecting the interpupillary distance of the user, and outputting the interpupillary distance setting information to the main control unit (col. 3, lines 12-25; Fig. 2, element 15). 5. Regarding claim 12, Usuki et al. discloses a method of controlling a wearable display apparatus formed to be worn near to both eyes of a human body and of displaying images to be recognized through the eyes, comprising: outputting view display position adjustment information corresponding to inputted interpupillary distance setting information indicative of an interpupillary distance between the left and right eyes (col. 28, lines 12-28); and displayprocessing image information inputted to an area within a display region corresponding to the view display position adjustment information (col. 27, lines 60-65), the display region being smaller than an entire view display area of the display unit (col. 25, lines 26-33; Fig. 50, element 7L, 7R).

Regarding claim 13, Usuki et al. further discloses that the interpupillary distance setting information is produced by a manipulation of the user (col. 22, lines 19-23; Fig. 43(a), step S202). 12. Regarding claim 15, Usuki et al. discloses an apparatus comprising: display units display processing image information inputted to an areas corresponding to a view display position adjustment information of a main control unit to view on the display units (col. 27, lines 60-65).

Regarding claim 16, Usuki et al. further discloses that the view display position adjustment information corresponds to inputted interpupillary distance setting

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information indicative of an interpupillary distance between left and right eyes of a user (col. 27, lines 60-65).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5, 6, and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Usuki et al. as applied to claim 1 above, and further in view of Ronzani et al., U.S. Pat. No. 6,448,944 B2.

Regarding claim 4, Usuki et al. discloses a first display unit having a first display device mounted on a main body to display an image to the left eye of the user (col. 25, lines 26-33; Fig. 50, element 650L), and a second display unit having a second display device mounted on the main body to display an image to the right eye of the user (col. 25, lines 26-33; Fig. 50, element 650R); and a display control unit selectively driving the row electrodes and the column electrodes to display the image at a view display position corresponding to the view display position adjustment information (col. 21, lines 56-63; Fig. 42, elements 6948, 694L, 690). Usuki et al. fails to disclose that said first and second display device each comprising: a matrix display unit displaying pixel

information by selective driving of row electrodes and column electrodes, the row electrodes being arranged along a horizontal direction, and the column electrodes being arranged along a direction crossed at an angle with respect to the horizontal direction. Ronzani et al. does disclose that said first and second display device each comprising: a matrix display unit displaying pixel information by selective driving of row electrodes and column electrodes, the row electrodes being arranged along a horizontal direction, and the column electrodes being arranged along a direction crossed at an angle with respect to the horizontal direction. Col. 5, lines 7-16; Fig. 1B, elements 13, 19, 21, 23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Usuki et al. and Ronzani et al. to make the claimed invention because both patents address improving the display of images with a head mounted device. Usuki et al., col. 2, line 50-col. 3, line 2; Ronzani et al., col. 1, lines 14-40.

Regarding claim 5, Usuki et al. further discloses that a display area of the matrix display unit is larger at a length in a horizontal direction corresponding to a direction linking a wearing position of the left and right eyes than an internally set image display area (col. 25, lines 41-54; Fig. 50, elements 7114, 7112L, 7112R).

Regarding claim 6, Ronzani et al. further discloses a column electrode driving unit selecting the column electrodes and outputting image information (col. 15, lines 30-

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46; Fig. 14, element 18); a row electrode driving unit sequentially activating the row electrodes (id.); and a drive control unit controlling the row electrode driving unit and the column electrode driving unit to write image data to the row and column electrodes corresponding to the view display position adjustment information (col. 15, lines 30-46; Fig. 14, element 888).

Regarding claim 9, Ronzani et al. further discloses that the display control unit includes: a row electrode driving unit selecting the row electrodes and outputting image information (col.15, lines 30-46; Fig. 14, element 20); a column electrode driving unit sequentially activating the column electrodes (col. 15, lines 30-46; Fig. 14, element 18); and a drive control unit controlling the row electrode driving unit and the column electrode driving unit to write image data to the row and column electrodes corresponding to the view display position adjustment information (col. 15, lines 30-46; Fig. 14, element 888).

5. Claims 7, 8, 10 and 11 are rejected under 35 U. S. C. § 103 (a) as being unpatentable over Usuki et al. and Ronzani et al. as applied to claims 1 and 6 above, and further in view of Cairns et al., U.S. Pat. No. 6,266,041 B1.

Regarding claim 7, Usuki et al. fails to disclose that the column electrode driving unit comprises: a plurality of flip-flops connected in series, each of the plurality of flip-flops corresponding to one of the column electrodes; and a switch unit mounted to

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output to the corresponding column electrodes, image signals outputted from the drive control unit according to a signal outputted from an output port of the corresponding one of the plurality of flip-flops. However, Cairns et al. does disclose that the column electrode driving unit comprises: a plurality of flip-flops connected in series, each of the plurality of flip-flops corresponding to one of the column electrodes (Fig. 2, element 9); and a switch unit mounted to output to the corresponding column electrodes (Fig. 2, element 12), image signals outputted from the drive control unit according to a signal outputted from an output port of the corresponding one of the plurality of flip-flops (col. 1, line 31-col. 3, line 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Cairns et al. with Usuki et al. and Ronzani et al. to make the claimed invention because Cairns merely discloses in more detail the conventional structure of the column electrode driving unit disclosed in Usuki et al.

Regarding claim 8, Usuki et al. fails to disclose that the row electrode driving unit comprises a plurality of flip-flops arranged in series, each of the plurality of flip-flops corresponding to one of the row electrodes, and having an output port connected to the corresponding row electrode. However, Cairns et al. does disclose that the row electrode driving unit comprises a plurality of flip-flops arranged in series (Fig. 9, elements 11), each of the plurality of flip-flops corresponding to one of the row electrodes (Fig. 9, element 4), and having an output port connected to the corresponding row electrode (Fig. 9, elements 11, 4).



Regarding claim 10, Usuki et al. fails to disclose that the row electrode driving unit comprises: a plurality of flip-flops connected in series, each of the plurality of flip-flops corresponding to one of the row electrodes; and a switch unit mounted to output to the corresponding row electrodes, image signals outputted from the drive control unit according to a signal outputted from an output port of the corresponding one of the plurality of flip-flops. However, Cairns et al. does disclose that the row electrode driving unit comprises: a plurality of flip-flops connected in series (Fig. 9, elements 11), each of the plurality of flip-flops corresponding to one of the row electrodes (Fig. 9, element 4); and a switch unit mounted to output to the corresponding row electrodes (Fig. 2, element 12), image signals outputted from the drive control unit according to a signal outputted from an output port of the corresponding one of the plurality of flip-flops (col. 1, line 31-col. 3, line 3).

Regarding claim 11, Usuki et al. fails to disclose that the column electrode driving unit comprises a plurality of flip-flops arranged in series, each of the plurality of flip-flops corresponding to one of the row electrodes, and having an output port connected to the corresponding row electrode. However, Cairns et al. does disclose that the column electrode driving unit comprises a plurality of flip-flops arranged in series (Fig. 2, elements 11), each of the plurality of flip-flops corresponding to one of the row electrodes (Fig. 9, element 4), and having an output port connected to the corresponding row electrode (Fig. 9, elements 11, 4).

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6. Claims 14 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Usuki et al. as applied to claims 12 and 15 above, and further in view of Iwamoto, U.S. Pat. No. 5,751,259 A. 26.

Regarding claim 14, Usuki et al. fails to disclose detecting the interpupillary distance setting information using a sensor mounted in a main body. However, Iwamoto does disclose this feature. Col. 3, lines 12-25; Fig. 2, element 15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Usuki et al. and Iwamoto to make the claimed invention because both patents disclose ways to move a display relative to a user's eye position in order to provide a high quality display even when a user moves his head relative to the display. Usuki et al., col. 2, line 50-col. 3, line 2; Iwamoto, col. 1, lines 10-39. 27.

Regarding claim 17, Usuki et al. fails to disclose that the interpupillary distance setting information for the user is set without movements of an optic system. However, Iwamoto does disclose this feature. Col. 3, lines 12-25; Fig. 2, element 15. 28. Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Usuki et al. as applied to claim 1 above, and further in view of Kikuchi, U.S. Pat. No. 5,189,399 B1. 29. Usuki et al. fails to disclose a key input unit producing the interpupillary distance setting information in correspondence with a manipulation by the user. However, Kikuchi does disclose this feature (col. 17, lines 12-36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of

Usuki et al. with Kikuchi to make the claimed invention because Usuki et al. discloses changing the optical axes of both units to improve the picture quality of a head mounted apparatus (Usuki et al., col. 28, lines 12-28), while Kikuchi merely discloses a keyboard for use with a head mounted apparatus to allow for the input of data by a user (Kikuchi, col. 17, lines 12-36).

7. Claim 2 is rejected under 35 U.S.C 103(a) as being unpatentable over Usuki et al. as applied to claim 1 above and further in view of Kikuchi (U.S. Patent No. 6,518,939).

Usuki fails to disclose a key input unit producing the interpupillary distance setting information in corresponding with a manipulation by the user. However, Kikuchi does disclose this feature(In col.17, lines 12-36). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teaching of Usuki with Kikichi to make the claimed invention because Usuki discloses changing the optical axes of both units to improve the picture quality of a head mounted apparatus (Usuki, Col.28 lines 12-28) while Kikuchi merely discloses a keyboard for use with a head mounted apparatus to allow for the input of data by a user (Kikuchi, col.17, lines 12-36).

#### ***Response to Arguments***

8. Applicant's arguments filed on 3/17/2004 have been fully considered but they are not persuasive.

Applicant's argument that Usaki's fails to teach the display units respectively display-process image information corresponding to view display position adjustment information. Examiner would like to point out in (fig. 49) and (In col.4 lines 13-28 and lines 57-60 and In Col.22 lines 37-54 and specifically In col.27 lines 60-65) teaching of this limitation.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 703-308-7024. The examiner can normally be reached on 8:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP

May 31, 2004



VIJAY SHANKAR  
PRIMARY EXAMINER